

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
UNITED STATES OF AMERICA	:	
	:	PRELIMINARY ORDER OF
- v. -	:	FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
WAYNE HICKS,	:	
a/k/a “Weez,”	:	S3 21 Cr. 293 (CS)
Defendant.	:	
-----	X	

WHEREAS, on or about July 25, 2023 WAYNE HICKS a/k/a “Weez”(the “Defendant”), was charged in a five-count Indictment, S3 21 Cr. 293 (CS) (the “Indictment”), with Hobbs Act robbery conspiracy, in violation of Title 18, United States Code, Section 1951 (Count One); Hobbs Act Robbery, in violation of Title 18, United States Code, Sections 1951 and 2 (Count Two); travel act crime of violence, in violation of Title 18, United States Code, Sections 1952 and 2 (Count Three); conspiracy to distribute marijuana, in violation of Title 21, United States Code, Section 846 (Count Four); and possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), (iii) and 2) (Count Five);

WHEREAS, the Indictment included, *inter alia*, a forfeiture allegation as to Count Four of the Indictment, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense charged in Count Four of the Indictment and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense charged in Count Four of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Four of the Indictment;

WHEREAS, on or about August 25, 2023, the Defendant pled guilty to Counts One through Five of the Indictment;

WHEREAS, on or about October 26, 2023, a Declaration of Administrative Forfeiture was entered forfeiting to the Government all right, title and interest in \$12,988 in United States currency seized from the Defendant's residence on or about October 6, 2021 (the "Subject Property");

WHEREAS, the Government seeks a money judgment in the amount of \$700,000 in United States currency representing the amount of proceeds traceable to the offense charged in Count Four of the Indictment that the Defendant personally obtained; and

WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count Four of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence, with the exception of the Subject Property;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count Four of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$700,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count Four of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant WAYNE HICKS, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance & Money Laundering Unit, 26 Federal Plaza, 38<sup>th</sup> Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Asset Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Upon entry of this Preliminary Order of Forfeiture/Money Judgment, the Subject Property shall be applied towards the satisfaction of the Money Judgment.

6. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

7. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

8. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

SO ORDERED:



---

HONORABLE CATHY SEIBEL  
UNITED STATES DISTRICT JUDGE

4/12/24  
DATE